

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

SONRAI MEMORY LIMITED, Plaintiff, v. GOOGLE LLC, Defendant.	Case No. 6:21-cv-00167-ADA
SONRAI MEMORY LIMITED, Plaintiff, v. LG ELECTRONICS INC., LG ELECTRONICS U.S.A., INC., Defendants.	Case No. 6:21-cv-00168-ADA
SONRAI MEMORY LIMITED, Plaintiff, v. SAMSUNG ELECTRONICS CO., LTD., SAMSUNG ELECTRONICS AMERICA, INC., Defendants.	Case No. 6:21-cv-00169-ADA
SONRAI MEMORY LIMITED, Plaintiff, v. DELL TECHNOLOGIES INC., Defendant.	Case No. 6:21-cv-00361-ADA

SONRAI MEMORY LTD.,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 6:21-cv-401-ADA

SONRAI MEMORY LIMITED,

Plaintiff,

v.

KINGSTON TECHNOLOGY COMPANY,
INC. and KINGSTON TECHNOLOGY
CORPORATION

Defendant.

Case No. 6:21-cv-00167-ADA

**DECLARATION OF YOUNGMO KOO IN SUPPORT OF
DEFENDANTS' OPPOSED MOTION TO STAY
PENDING FINAL RESOLUTION OF PLAINTIFF'S MANUFACTURER LAWSUITS**

I, Youngmo Koo, hereby declare as follows:

1. I am over 18 years of age and competent to make this declaration.
2. I have been employed at Samsung Electronics Co., Ltd. since 2012. My current position is the Director of the Licensing Team in the IP Center at Samsung Electronics Co., Ltd. (“SEC”). As the licensing director, my responsibilities include handling any business issues in any litigation related to my company.
3. I provide this declaration on behalf of SEC with respect to *Sonrai Memory Ltd. v. Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc.*, Case No. 6:21-cv-00169-ADA. The statements in this declaration are based on my personal knowledge, my review of

corporate records maintained by SEC in the ordinary course of business and/or my discussions with SEC employees. If called to testify as a witness, I could and would testify competently and truthfully to each of the statements under oath.

4. I understand, based on the complaint and its attachments, that Plaintiff Sonrai Memory Limited (“Plaintiff”) has filed a lawsuit against SEC and Samsung Electronics America, Inc. (“SEA”) (collectively, “Samsung”) claiming that certain Samsung products that include SanDisk/Toshiba 64L 3D NAND flash chips with the die identifier FRN1256G (“Accused Kioxia and Western Digital Chips”) infringe U.S. Patent Nos. 6,724,241 (the “’241 patent”).

5. Kioxia Corporation (“Kioxia”) and Western Digital Technologies, Inc. (“Western Digital”) supply the Accused Kioxia and Western Digital Chips to Samsung. Kioxia and Western Digital are the only sources of the Accused Kioxia and Western Digital Chips to Samsung.

6. SEC incorporates Accused Kioxia and Western Digital Chips into the accused downstream Samsung products such as mobile phones. SEC does not have the ability to make any modifications to the circuits of the Accused Kioxia and Western Digital Chips accused of infringing the ’241 patent. SEC integrates into the Samsung products the Accused Kioxia and Western Digital Chips “as is” with respect to their circuit designs.

7. SEA does not itself manufacture any products that incorporate the Accused Kioxia and Western Digital Chips. SEA is merely a customer and reseller of the downstream products manufactured by SEC that incorporate the Accused Kioxia and Western Digital Chips. SEC is the only source of downstream products sold by SEA that incorporates the Accused Kioxia and Western Digital Chips.

8. Samsung does not have possession, custody, and control of the factual

information and related documentation that shows the design, manufacture and operation of the accused circuitry of the Accused Kioxia and Western Digital Chips.

9. Samsung agrees to be bound by the outcome of any infringement determinations in the Kioxia and Western Digital cases (*i.e., Sonrai Memory Limited v. Kioxia Corporation, et al.*, Case No. 6:21-cv-00400-ADA (W.D. Tex) and *Sonrai Memory Limited v. Western Digital Technologies, Inc.*, Case No. 8:21-cv-01040-CJC-JDE (C.D. Cal) (now 6:21-cv-01168 (W.D. Tex))) as to the Accused Kioxia and Western Digital Chips relating to the '241 patent.

10. I understand, based on Sonrai's amended infringement contentions, that Sonrai also alleges that certain Samsung products that include NAND flash circuits with package marking SEC 110 BOE1 KLUDG4UHDC SD3P300B (the "Accused Samsung Chips") infringe the '241 patent.

11. SEC is the only supplier of the Accused Samsung Chips.

12. SEC employs the engineers that developed, designed and manufactured the Accused Samsung Chips and also has the documents related to design, operation and manufacture of the accused circuitry of the Accused Samsung Chips. SEC does not share this confidential and proprietary information with customers outside of Samsung; rather, it remains in the exclusive possession of Samsung.

13. SEA does not itself manufacture any products that incorporate the Accused Samsung Chips. SEA is merely a customer and reseller of downstream products manufactured by SEC that incorporate the Accused Samsung Chips.

14. I further understand Sonrai filed suit against Amazon.com, alleging that Amazon.com infringes the '241 patent based solely on its resale of downstream products that incorporate Accused Kioxia and Western Digital Chips or Accused Samsung Chips. *Sonrai*

Memory Ltd. v. Amazon.com, Case No. 6-21-cv-00991-ADA (W.D. Tex.), D.I. 1, ¶¶ 8-12, Ex. 2.

15. Downstream customers who sell downstream products that incorporate Accused Samsung Chips do not have the ability to make any modifications to the chips accused of infringing the '241 patent. Instead, downstream customers integrate the chips "as is" with respect to their circuit designs.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on December 9th 2021 in Seoul, Korea.

A handwritten signature in blue ink, appearing to read "Youngmo Koo", is written over a horizontal line.

Youngmo Koo